

LEGION STADIUM AT LEGION SPORTS COMPLEX

GENERAL POLICIES

General Philosophy

Legion Stadium is a public assembly facility. The stadium is operated for the recreation and entertainment needs of the people of Wilmington, and is provided as a venue for performances, programs, exhibitions, athletic events and other activities that are in the interest of the community. The intention is to host events that will attract a significant crowd. The stadium is not a multi-purpose field; recreation leagues and similar activities should be referred to other facilities.

Additionally, Legion Stadium is the home facility to New Hanover High School and the Wilmington Hammerheads, of the United Soccer League. The games and practices of these two organizations will have priority over other events and activities. Special consideration will be given to high school athletics.

Any activity that may cause damage to the stadium facility or part thereof, in the opinion of the staff of the City of Wilmington's Parks, Recreation and Downtown Services Department will be prohibited. Because the facility is first and foremost an athletic venue, protection of the main field and maintenance of the turf may preclude events and activities from taking place that could put the turf at risk for damage.

In determining approval of an application to use the stadium, the following criteria will be taken into consideration:

- Nature and character of the proposed event
- Character and financial condition of the applicant (The Legion Commission and the City shall reserve the right to request financial statements and references.)
- Demonstrated ability of the applicant to properly manage the proposed event
- Potential damage to the facility

Scheduling and Booking Policies

Priority will be given to the scheduling needs of New Hanover High School. The Wilmington Hammerheads are given sufficient, advance booking to insure stability for planning their season. Events by New Hanover High School and the Wilmington Hammerheads, in that order, will preclude consideration of future applicants.

All other potential lessees shall complete an application for use in order to be considered for booking. If the application is rejected, the applicant will be notified in writing. The reason(s) for rejection will be stated. If the application is approved, a "hold" for a particular date(s) at the facility will be considered tentative until a deposit is received.

The hold will remain on the calendar until another request for the same date is received. The initial applicant will be contacted to confirm the reservation by placing the required deposit amount, or to relinquish the date.

All holds that have not been confirmed by payment of deposit will be cleared from the calendar after thirty (30) days.

At the time the deposit is received, a contract for use will be prepared. Original contracts will be prepared and executed by the City's Parks, Recreation and Downtown Services Department and will include rental fee information, insurance requirements, event date, facility contact information, exact event requirements with regard to utilities and equipment, facility use restrictions (main field, back field, parking lot), ticket sales information, and any other special notes regarding the event.

The required deposit for events at Legion Stadium is 50% of the usage fee. There are no refunds of deposits. If the lessee cancels an event, the City will allow the deposit to hold a future date up to one year from the original date. After one year, the deposit will no longer be valid.

Fees

The fee for rental of Legion Stadium's main field is \$750 per day/event/game.

The fee for rental of the parking lot or backfield is \$200 per day/event.

The fee for rental of the parking lot or backfield along with use of restrooms and/or concession facilities is \$300 per day/event.

The City may partially waive rental charges in connection with an event or activity that is sponsored by a non-profit association or by an agency of government for which no admission charge is made. Proof of federal or state non-profit designation, such as the organization's 501-C(3) number, may be required. A waiver fee request form must be completed and submitted to the Director of Parks and Recreation and Downtown Services.

The City shall determine the number of security personnel required for each event, and provide security staff at the lessee's expense. Events that will have alcohol sales require additional security costs. Additional event staff/fees are the responsibility of the lessee. These include:

- Ushers/gate staff
- Box office personnel
- Clean-up crew
- Medical personnel
- Supplementary equipment (stage, protective field cover)

Concessions

Concessions, including alcohol sales are exclusively operated and provided by the City. The City retains all concession rights. The City shall provide to the lessee 20% of the net profit from all sales. This payment will be made to the lessee within 10 business days.

The Lessee shall have rights to the mid-field concession area for novelty merchandise sales.

Except as permitted in writing by the facility manager, no outside food or beverages shall be brought into the stadium proper.

Broadcast Rights

Lessee shall have the privilege to grant television and radio broadcast rights for its games. The City shall be notified at least 10 days in advance of any grant of any radio and television broadcast rights.

Seating

For certain events in which alcohol is sold, a section of seating may be designated as "Family Seating". No alcohol may be brought into or consumed in this area.

The facility manager may designate certain seats in the stadium for administrative or promotional purposes.

Parking

The lessee is prohibited from charging a parking fee unless prior approval has been obtained from the Director of Parks and Recreation and Downtown Services and the Legion Stadium Commission. The lessee may establish V.I.P. parking, pending approval of the plan by the Parks, Recreation and Downtown Services Department.

Cancellation of an Event

If an event is cancelled by the City due to inclement weather or because of an act of God, a date mutually agreed upon between the City and lessee will be scheduled for the event at no additional charge. However, out-of-pocket expenses incurred by the City such as staff, utility or equipment charges will be paid by the lessee. If no mutually agreed upon date can be reached, the City will refund to the lessee the deposit, after deducting any out-of-pocket expenses.

In the event of a cancellation, it will be the responsibility of the lessee to make all necessary arrangements to notify the public of the details of the cancellation, including contacting the media. Any tickets that have been pre-sold may only be refunded from the

original location where the tickets were purchased. No refunds may be made at the facility, unless tickets were sold from that location.

Insurance

All events will require a certificate of insurance of a minimum of one million (\$1,000,000) dollars. The City reserves the right to augment the amount depending upon the nature of the event. Events which will have alcoholic beverage sales will be required to provide to the City a certificate of insurance showing a minimum of 2 million (\$2,000,000) dollars liquor liability insurance coverage.

Prohibited Equipment

The use of any electrical, mechanical, or structural equipment not furnished by the stadium is prohibited unless specifically approved by the facility manager. Driving of any vehicle onto the main field is prohibited unless approved by the facility manager.

Clean-up

Unless otherwise specified in the lessee's contract, clean up of the field house, bleachers, concourse, areas adjacent to concessions, and parking lots will be the responsibility of the LESSEE. Clean up activities will be completed in ample time prior to other facility events.

Field and Turf Management

Management of the main field turf at Legion Stadium is of critical importance to the quality and sustainability of the facility. This is applicable during the entire year, including "off-seasons". The City bears a responsibility to its taxpayers that this asset is properly managed. Therefore, consideration of the quality and well being of the turf is paramount when deliberating the suitability of hosting a major event such as a concert. When applications are received for such an event, the facility manager, Parks Manager and Director of Parks, Recreation, and Downtown Services will review and discuss the request, and come to a decision of what can be accommodated.

Advertising in Stadium Premises

The lessee will have the rights to banner advertising at Legion Stadium during its use of the field. Permanently affixed advertising is prohibited. Advertising will be permitted in concession areas and the stadium concourse, with prior approval by the City's Parks, Recreation and Downtown Services Department. All banner/sign fasteners must be approved City's Parks, Recreation and Downtown Services Department. There shall be no advertising on the exterior (face) of the stadium. The City shall reserve the right to disapprove the use of banners/signs considered objectionable or relocate those deemed to be. Advertising on the playing surface is prohibited unless approved by the City's Parks, Recreation and Downtown Services Department.

Miscellaneous Regulations

1. No cans, bottles or other glass containers, coolers, fireworks, air horns or other disruptive noisemakers are permitted in the stadium.
2. The facility manager or an authorized representative shall have the authority to remove any person from the property for violating any regulations in this document, or other City laws, or for any behavior that threatens the facility, its staff or other guests.
3. Lessee shall only have use of the space for which a contract was granted. Unauthorized use of any facilities on the complex grounds for which authorization was not specified may result in immediate suspension of the use of the facility.